

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Lang et al.

Application No.: 10/681,749

Group No.: 3733

Filed: October 7, 2003

Examiner: Philogene, P.

For: Minimally Invasive Joint Implant with 3-Dimensional Geometry Matching the Articular Surfaces

Mail Stop Issue Fee

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

TRANSMITTAL OF PAYMENT OF ISSUE FEE (37 C.F.R. § 1.311)  
AND PAYMENT OF PUBLICATION FEE ((37 C.F.R. § 1.211(e))

1. Applicant hereby pays the issue fee for the attached Issue Fee Transmittal PTOL-85.
2. Applicant

Asserted small entity status in this application on October 7, 2003 by payment of the basic filing fee as a small entity. (37 C.F.R. § 1.27(c)(3))

It is confirmed that small entity status for this application has been checked and it is still in effect and is being asserted.

3. Fee (Issue):

Application status is small business entity with a utility fee of \$755.00.

4. Fees (Publication)

This is an application for a utility patent and:

The publication fee of \$ 300.00 (§ 1.18(d)) is being paid herewith.

5. Advance Order of Copies

Number of copies ordered 1 x \$3.00 per copy (37 C.F.R. § 1.19(a)(1))

\$3.00

6. Total Fees Due

The total amount of fees due is:

issue fee	\$755.00
publication fee	\$300.00
additional copies	\$3.00
TOTAL FEE(S) DUE	\$1,058.00

7. Assignee's Name and Address To Be Printed On Patent is as follows (37 C.F.R. § 3.81):

Name of Assignee: ConforMIS, Inc.  
Address: 2 Fourth Avenue  
Residence (City and State or Country): Burlington, MA

Assignee category or categories (not printed on patent): Corporation or other private group entity

8. Payment of total fee due:

Authorization is hereby made to charge the amount of \$1,058.00 to Deposit Account No. 19-4972.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

Date: March 29, 2010

/Alexander J. Smolenski, Jr., #47,953/  
Alexander J. Smolenski, Jr.  
Registration No. 47,953  
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Customer No. 75059

02960/00112 1241156.1

# **PART B - FEE(S) TRANSMITTAL**

Complete and send this form, together with applicable fee(s), to: Mail

**Mail Stop ISSUE FEE**  
**Commissioner for Patents**  
**P.O. Box 1450**  
**Alexandria, Virginia 22313-1450**  
**or Fax (571)-273-2885**

**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address)

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

75059                      7590                      02/25/2010  
**Sunstein Kann Murphy & Timbers LLP**  
**125 SUMMER STREET**  
**BOSTON, MA 02110-1618**

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/681,749                      10/07/2003                      Philipp Lang                      2960/112                      8140

**TITLE OF INVENTION: MINIMALLY INVASIVE JOINT IMPLANT WITH 3-DIMENSIONAL GEOMETRY MATCHING THE ARTICULAR SURFACES**

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
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nonprovisional                      YES                      \$755                      \$300                      \$0                      \$1055                      05/25/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
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PHILOGENE, PEDRO                      3733                      623-018110

<p>1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).</p> <p><input type="checkbox"/> Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.</p> <p><input type="checkbox"/> "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47, Rev 03-02 or more recent) attached. Use of a Customer Manual is required.</p>	<p>2. For printing on the patent front page, list</p> <p>(1) the names of up to 3 registered patent attorneys or agents OR, alternatively,</p> <p>(2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed.</p> <p>1 <b>SUNSTEIN KANN MURPHY</b>  2 <b>&amp; TIMBERS LLP</b>  3</p>
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## **3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)**

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE

(B) RESIDENCE (CITY AND STATE OR COUNTRY)

ConforMIS, Inc.

Burlington, MA

Please check the appropriate assignee category or categories (will not be printed on the patent):    ☐ Individual    ☒ Corporation or other private group entity    ☐ Government

## **4a. The following fee(s) are submitted:**

- ☒ Issue Fee  
☒ Publication Fee (No small entity discount permitted)  
☒ Advance Order - # of Copies 1

## **4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above)**

- ☐ A check is enclosed.  
☐ Payment by credit card. Form PTO-2038 is attached.  
☒ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number 13-4372 (enclose an extra copy of this form).

## **5. Change in Entity Status (from status indicated above)**

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27.                      ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature /Alexander J. Smoleriski, Jr., #47,953/

Date March 29, 2010

Typed or printed name Alexander J. Smoleriski, Jr.

Registration No. 47,953

This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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